

## REMARKS

Claims 1, 3-10, 12-19, 23-27, 30-33, 50 and 51 are currently pending in the application, with claims 34-49 withdrawn from consideration. In the office action dated October 16, 2003, the Examiner took the following action: (1) rejected claims 1, 16-18, 23, 26, 50 and 51 under 35 U.S.C. 103(a) as being unpatentable over Lanham in view of Van der Pol (US6336370); (2) rejected claims 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over Lanham/ Van der Pol, as modified above, and further in view of Drahm et al.; (3) rejected claims 12-15, 19 and 24 under 35 U.S.C. 103(a) as being unpatentable over Lanham/ Van der Pol, as modified above, in view of Cage; (4) rejected claims 27 and 30 under 35 U.S.C. 103 (a) as being unpatentable over Lanham/ Van der Pol, as modified above; (5) rejected claim 31 under 35 U.S.C. 103 (a) as being unpatentable over Lanham/ Van der Pol, as modified above, in view of Kane; (8) rejected claims 32 and 33 under 35 U.S.C. 103(a) as being unpatentable over Lanham/ Van der Pol, as modified above, in view of Cage; (9) objected to claims 3-6, 9, 10, 22 and 25 as being dependent upon a rejected base claim. Applicants respectfully request reconsideration of the application in view of the following remarks.

*I. Rejection of claims 1, 16-18, 23, 26, 50 and 51 under 35 U.S.C. 103(a) as being unpatentable over Lanham in view of Applicant's Admitted Prior Art.*

Applicants note that Lanham was assigned to a common assignee, and if it qualifies as prior art under 35 U.S.C. 102, it does so under 35 U.S.C. 102(e). This being the case, a 103(a) rejection cannot be supported. Under the American Inventor's Protection Act, 35 U.S.C. 103(c) has been amended to provide that art "...which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." Hence, Lanham cannot be combined with Van der Pol, Drahm, Cage and Kane to reject claims 1, 7, 8, 12-19, 23, 24, 26, 27, 30-33, 50 and 51.

For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 16-18, 23, 26, 50 and 51 under 35 U.S.C. 103(a) as being anticipated by Lanham et al.

*II. Rejection of claims 7, 8, 12-15, 19, 24, 27 and 30-33 under 35 U.S.C. 103(a).*

Claims 7, 8, 12-15, 19, 24, 27 and 30-33 all depend from claim 1. Claim 1 is believed to be in condition for allowance, and as such, claims 8, 12-15, 19, 24, 27 and 30-33 are allowable for the same reasons as claim 1.

For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7, 8, 12-15, 19, 24, 27 and 30-33 under 35 U.S.C. 103(a).

**Conclusion**

In light of the foregoing amendments and remarks, Applicants believe that pending claims 1, 3-10, 12-19, 23-27, 30-33, 50 and 51 are in condition for allowance, and that action is respectfully requested. If there are any remaining matters that can be handled in a telephone conference, the Examiner is invited to telephone the undersigned attorney, Curtis J. Ollila, at (303) 938-9999.

Respectfully submitted,  
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Date: 1/4/24



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